UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RODNEY BARBER

V. C.A. NO. 05-390ML

VERIZON NEW ENGLAND, INC., et al

PRETRIAL ORDER

Pursuant to Rule 16 of the Federal Rules of Civil Procedure, it is ordered that all discovery will be closed by **August 1, 2006**. Plaintiff shall make its expert witness disclosures as required by F.R.Civ.P. 26(a)(2) by **June 1, 2006**. Defendant shall make its expert witness disclosures as required by F.R.Civ.P. 26(a)(2) by **July 3, 2006**. Dispostive motions shall be filed by **August 15, 2006**.

Counsel shall present, thirty (30) days after a decision on any dispositive motion, or, if no dispositive motions are filed, by **September 1, 2006** a typewritten memorandum which shall contain the following information:

1. (a) Plaintiff will set forth what is expected to be proven in support of the claim, indicating each witness to testify with a brief summary of his/her testimony and a statement as to whether that witness will testify as an expert.

1. (b) Defendant will set forth what is expected to be proven in defense, indicating each witness to testify with a brief summary of his/her testimony and a statement as to whether that witness will testify as an expert.

2. A memorandum of supporting law with citations of authorities. This is to include all the law applicable to the case with emphasis on special legal issues. All pertinent citations will be fully briefed.

3. A list of all exhibits intended to be offered at the trial with statements of the purpose for which the exhibit is offered. All said exhibits will be pre-marked by the plaintiff in numerical

order and by defendant in alphabetical order.

4. If said captioned case is to be tried before a jury, full and complete proposed jury instructions.

5. A statement as to probable length of trial.

6. Any additional matter which counsel feel will aid the Court in the disposition and/or hearing of said action.

Failure to strictly comply with this order will result in appropriate sanctions which may include dismissal, default, or exclusion of evidence.

After ten (10) days from the close of discovery, no motions shall be filed except by leave of the undersigned; the case is subject to being called for trial on 48-hour notice, unless otherwise ordered by the undersigned.

Every effort should be made to settle the case before jurors are summoned for impanelment. **Counsel are to advise the clerk of any such settlement and file a stipulation of dismissal no later than seven (7) days before the scheduled impanelment date.** Jury costs and/or counsel fees may be assessed against one or more of the parties and/or their counsel if the court determines that the lateness of settlement was due to unreasonable or vexatious conduct or neglect.

SO ORDERED:

Mary M. Lisi
Mary M. Lisi
United States District Judge
February 2 , 2006

Entered as an Order of this Court on February 3 , 2006.

Barbara Barletta
Deputy Clerk